IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WA.No. 2183 of 2006()

AGAINST THE JUDGEMENT IN WPC.29288/2006 Dated 16/10/2006
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APPELLANT: PETITIONER:

VALIYAM MEMORIAL EDUCATION AND
CHARITABLE SOCIETY, (VALIYAM MEMORIAL COLLEGE
OF TEACHER EDUCATION), EDAPPALLICOTTA,
CHAVARA, KOLLAM DISTRICT, REPRESENTED BY ITS
CHAIR PERSON S.SUBAIDA.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS: RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY THE
SECRETARY TO THE PRINCIPAL SECRETARY TO
GOVERNMENT, DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF COLLEGIATE EDUCATION/
COMMISSIONER FOR ENTRANCE EXAMINATIONS,
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM-01.

3. THE VICE CHANCELLOR,
UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM.

4. THE UNIVERSITY OF KERALA,
REPRESENTED BY THE REGISTRAR,
THIRUVANANTHAPURAM.

R4 BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.
R1 & R2 BY GOVERNMENT PLEADER MR.T.B.HOOD

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 30/11/2006 ALONG WITH W.A.NO.2186/2006 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & S.SIRI JAGAN, J.

W.A.Nos.2183 & 2186 of 2006

Dated this the 30th day of November, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

Challenge in the present writ appeals is to order dated 16th November, 2006 passed by the learned Single Judge in W.P.(C) Nos.29288 and 28451 of 2006. Petitioners obtained approval from National Council for Teacher Education for commencement of B.Ed. course during the current academic year 2006-07. They applied for affiliation of the institutions with the 4th respondent University. Since orders were not forthcoming writ petitions were filed for the desired relief. The learned Single judge dismissed the writ petitions by the impugned order. The necessary relief asked for could not be granted as the academic session 2006-07 has already commenced since now. No illegality or infirmity can be found out from the impugned order. However, in as much as the appellants institutions may not suffer even in the matter of

starting next academic session 2007-08, it will be appropriate to direct the University to take a decision in the matter. Learned counsel appearing for the University himself states that the concerned authority would pass orders on the application made by the petitioners with regard to affiliation latest by 31st December, 2006. In view of the stand taken by the University we only observe that the University will pass required orders as per law before 31st December, 2006. The appellants would be at liberty to produce before the concerned authority all the judicial precedents that may support their case.

Writ appeals are disposed of as indicated above.

V.K. BALI,
CHIEF JUSTICE.

S.SIRI JAGAN,
JUDGE.

vns